

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the Application:

**Listing of the Claims**

- 5           1.     (currently amended):     A process for reducing the sulfur and/or nitrogen content of a distillate feedstock to produce refinery transportation fuel or blending components for refinery transportation fuel wherein the feedstock contains heteroaromatic sulfur-containing and nitrogen-containing  
10   organic impurities which process comprises:
- (a) Contacting the feedstock with an oxygen-containing gas in an oxidation zone at oxidation conditions comprising elevated temperatures in a range from about 250 degrees F to about 330 degrees F in the presence of an oxidation  
15   catalyst comprising at least one active Group VIII metal selected from the group consisting of the *d*-transition elements in the Periodic Table having atomic number from 21 to 30 inclusive, and a basic support selected from the group consisting of alkali oxides and alkaline earth oxides  
20   to convert at least a portion of the heteroaromatic sulfur-containing and nitrogen-containing organic impurities to higher boiling, more polar oxidized sulfur-containing and nitrogen-containing compounds; and
- (b) Separating a portion of the oxidized sulfur and [[/or]]  
25   nitrogen-containing compounds from the oxidation zone effluent as by distillation to a cut point temperature by which 90 percent of the sulfur-containing compounds in the feedstock would boil and thereby recover a distillate effluent having a reduced amount of the oxidized sulfur to a  
30   level of 5 ppm or less and [[/or]] nitrogen-containing

compounds and a TAN number of less than about 2.0 mg KOH/g.

2. (previously presented): The process of claim 1  
5 wherein the Group VIII metal is cobalt and the basic support is member of the group consisting of magnesium oxide and calcium oxide.

3 to 8 inclusive (canceled)

- 10 9. (original): The process of claim 1 wherein the Group VIII metal is cobalt and the basic support is magnesium oxide.

10. (original): The process of claim 9 wherein the Group VIII metal is present in an amount ranging from about 4 wt. % to about 12 wt. %.

- 15 11. (previously presented): The process of claim 10 wherein the distillate effluent possesses a sulfur content of less than about less than 5 ppm wt.

12. (previously presented): The process of claim 11 where  
in the distillate effluent possesses a nitrogen content of less than  
20 about less than 10 ppm wt.